

1642
Spie

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	27	Application Number	09/764,546
		Filing Date	January 17, 2001
		First Named Inventor	Lynn E. SPITLER
		Art Unit	1642
		Examiner Name	S. Ungar

Attorney Docket Number 204372000901

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply (8 pages)	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Exhibits A-C, attached to the Amendment (18 pages)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Return Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		
Customer No. 25225		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MORRISON & FOERSTER LLP Laurie L. Hill - 51,804
Signature	
Date	August 18, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 18, 2004

Signature: (Cecilia Huerta)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 18, 2004

Signature:


(Cecilia Huerta)

Docket No.: 204372000901
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re Patent Application of:
Lynn E. SPITLER et al.

Application No.: 09/764,546

Art Unit: 1642

Filed: January 17, 2001

Examiner: S. Ungar

For: **THERAPEUTIC PROPERTIES OF
LIPOSOME-ENCAPSULATED
IMMUNOMODULATORS**

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the non-final Office Action dated May 18, 2004 in connection with the above-identified application to which a response is due by August 18, 2004. Accordingly, this response is timely filed. The Applicants have given careful consideration to the grounds for rejection as contained in the Office Action and offer the following remarks in response. Applicants respectfully request reconsideration of the pending claims.

Also included herein are the following Exhibits:

Exhibit A: Sonis. *Oral Oncology* 34: 39-43 (1998).

Exhibit B: Asano, et al. *J. Pharmacol. Exp. Ther.* 268: 1032-39 (1994).

Exhibit C: Sonis, et al. *Oral Surg. Oral Med. Oral Pathol.* 74: 749-55 (1992).